



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: James M. Derderian

**Serial No.:** 09/939,253

**Filed:** August 24, 2001

**For:** SEMICONDUCTOR DEVICES AND SEMICONDUCTOR DEVICE

ASSEMBLIES INCLUDING A NONCONFLUENT SPACER LAYER

(AMENDED)

Confirmation No.: 2189

Examiner: A. Williams

Group Art Unit: 2826

Attorney Docket No.: 2269-4830US

(01-0106.00/US)

CERTIFICATE OF MAILING

I hereby certify that this correspondence along with any attachments referred to or identified as being attached or enclosed is being deposited with the United States Postal Service as First Class Mail on the date of deposit shown below with sufficient postage and in an envelope addressed to the Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

October 28, 2004

Rachael M. Harris

Name (Type/Print)

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In compliance with the duty to disclose information material to patentability pursuant to 37 C.F.R. § 1.56, it is respectfully requested that this Supplemental Information Disclosure Statement be entered and the documents listed on attached Form PTO-1449 be considered by the Examiner and made of record. Copies of U.S. patents are <u>not</u> being submitted pursuant to M.P.E.P. 609 III A(2). The listed documents were cited by the Office in co-pending application Serial No. 10/225,973, filed on August 22, 2002, and directed to a related invention.

In accordance with 37 C.F.R. § 1.97(g) and (h), filing of this Supplemental Information Disclosure Statement is not to be construed as a representation that a search has been made or an admission that the information cited herein is, or is considered to be, material to patentability as defined in 37 C.F.R. § 1.56(b). Further, no representation is made by Applicant herein that no other possible material information as defined in 37 C.F.R. § 1.56 (b) exists.

## U.S. Patent Documents

U.S. Patent No.	Publication Date	<u>Patentee</u>
US - 4,184,043	January 15, 1980	Hildering
US - 5,251,806	October 12, 1993	Agarwala et al.
US - 5,296,738	March 22, 2994	Freyman et al.
US - 6,005,778	December 21, 1999	Spielberger et al.
US - 6,080,264	June 27, 2000	Ball
US - 6,593,662	July 15, 2003	Pu et al.
US - 6,682,954	January 27, 2004	Ma et al.

Applicant offers to supply any explanation or discussion of the documents which the Examiner feels is necessary or desirable and which is requested.

This Supplemental Information Disclosure Statement is filed after the mailing date of the first Office Action on the merits.

I hereby certify that no item of information contained in the Supplemental Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the statement, and therefore no fee is due.

Respectfully submitted,

Brick G. Power

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Date: October 28, 2004

BGP/djp:rmh

Enclosures: Form PTO-1449 or PTO/SB/08

Copy of documents cited

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Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

US-

Complete if Known			
Application Number	09/939,253		
Filing Date	August 24, 2001		
First Named Inventor	James M. Derderian		
Group Art Unit	2826		
Examiner Name	A. Williams		
Attorney Docket Number	2269-4830US (01-0106.00/US)	フ	

	Document Number Publication Date		Name of Patentee or Applicant of	Pages, Columns, Lines, Where Relevant	
Cite No.1	Number - Kind Code <sup>2</sup> (if known)	MM-DD-YYYY	Cited Document	Passages or Relevant Figures Appear	
	US-4,184,043	January 15, 1980	Hildering		
	US- 5,251,806	October 12, 1993	Agarwala et al.		
	US- 5,296,738	March 22, 2994	Freyman et al.		
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	Cite	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
	No.1	Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)				
		N. MANAGER CO.				
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Examiner Signature	Date Considered	

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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>&</sup>lt;sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at <u>www.uspto.gov</u> or MPEP 901.04. that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.